



# House of Representatives

General Assembly

**File No. 478**

*January Session, 2011*

Substitute House Bill No. 5958

*House of Representatives, April 7, 2011*

The Committee on Energy and Technology reported through REP. NARDELLO of the 89th Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

***AN ACT CONCERNING ENERGY UPGRADES, WEATHERIZATION  
AND FUEL ASSISTANCE FOR RESIDENTIAL HOMES AND  
MUNICIPAL AND STATE BUILDINGS.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 17b-801 of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective July 1, 2011*):

3 [(a) The Commissioner of Social Services shall administer a state-  
4 appropriated fuel assistance program to provide, within available  
5 appropriations, fuel assistance to elderly and disabled persons whose  
6 household gross income is above the income eligibility guidelines for  
7 the Connecticut energy assistance program but does not exceed two  
8 hundred per cent of federal poverty guidelines. The income eligibility  
9 guidelines for the state-appropriated fuel assistance program shall be  
10 determined, annually, by the Commissioner of Social Services, in  
11 conjunction with the Secretary of the Office of Policy and  
12 Management. The commissioner may adopt regulations, in accordance

13 with the provisions of chapter 54, to implement the provisions of this  
14 subsection.

15 (b) The commissioner shall administer a state-appropriated  
16 weatherization assistance program to provide, within available  
17 appropriations, weatherization assistance in accordance with the  
18 provisions of the state plan implementing the weatherization  
19 assistance block grant program authorized by the federal Low-Income  
20 Home Energy Assistance Act of 1981, and programs of fuel assistance  
21 and weatherization assistance with funds authorized by the federal  
22 Low-Income Home Energy Assistance Act of 1981 and by the U.S.  
23 Department of Energy in accordance with 10 CFR Part 440  
24 promulgated under Title IV of the Energy Conservation and  
25 Production Act, as amended, and oil settlement funds in accordance  
26 with subsections (b) and (c) of section 4-28. The commissioner shall  
27 adopt regulations in accordance with the provisions of chapter 54, (1)  
28 establishing priorities for determining which households shall receive  
29 such weatherization assistance, (2) requiring that such weatherization  
30 assistance for energy conservation measures other than the retrofitting  
31 of heating systems be provided only for any dwelling unit for which  
32 an energy audit has been conducted in accordance with the provisions  
33 of sections 16a-45a to 16a-46c, inclusive, (3) requiring that the only  
34 criterion for determining which energy conservation measures shall be  
35 implemented pursuant to this subsection in any such dwelling unit  
36 shall be the simple payback calculated for each energy conservation  
37 measure recommended in the energy audit conducted for such unit, (4)  
38 establishing the maximum allowable payback period for such energy  
39 conservation measures and (5) establishing conditions for the waiver  
40 of the provisions of subdivisions (1) to (4), inclusive, of this subsection  
41 in the event of emergencies. The programs provided for under this  
42 subsection shall include a program of fuel and weatherization  
43 assistance for emergency shelters for homeless individuals and victims  
44 of domestic violence. The commissioner may adopt regulations, in  
45 accordance with the provisions of chapter 54, to implement and  
46 administer the program of fuel and weatherization assistance for  
47 emergency shelters.]

48 [(c)] The Commissioner of Social Services shall administer, within  
49 available appropriations, a crime prevention and safety program for  
50 residences occupied by elderly and disabled persons who are eligible  
51 for the weatherization assistance block grant program authorized by  
52 the federal Low-Income Home Energy Assistance Act of 1981 or the  
53 state-appropriated weatherization assistance program. The program  
54 shall be operated through the community action agencies and the  
55 municipal agency responsible for said low income weatherization  
56 program. The program may provide for the purchase and installation,  
57 where necessary, of devices which allow a person inside a dwelling  
58 unit to view the area outside the door, or doors with windows, locks  
59 on windows and doors, and smoke detectors. The installation of  
60 devices under this program shall be done at the time weatherization is  
61 done.

62 Sec. 2. (NEW) (*Effective July 1, 2011*) (a) The Department of Public  
63 Utility Control shall administer a state-appropriated fuel assistance  
64 program to provide, within available appropriations, fuel assistance to  
65 elderly and disabled persons whose household gross income is above  
66 the income eligibility guidelines for the Connecticut energy assistance  
67 program but does not exceed two hundred per cent of federal poverty  
68 guidelines. The income eligibility guidelines for the state-appropriated  
69 fuel assistance program shall be determined, annually, by the  
70 Department of Public Utility Control, in conjunction with the Secretary  
71 of the Office of Policy and Management. The department may adopt  
72 regulations, in accordance with the provisions of chapter 54 of the  
73 general statutes, to implement the provisions of this subsection.

74 (b) The department shall administer a state-appropriated  
75 weatherization assistance program to provide, within available  
76 appropriations, weatherization assistance in accordance with the  
77 provisions of the state plan implementing the weatherization  
78 assistance block grant program authorized by the federal Low-Income  
79 Home Energy Assistance Act of 1981, and programs of fuel assistance  
80 and weatherization assistance with funds authorized by the federal  
81 Low-Income Home Energy Assistance Act of 1981 and by the United

82 States Department of Energy in accordance with 10 CFR Part 440  
83 promulgated under Title IV of the Energy Conservation and  
84 Production Act, as amended, and oil settlement funds in accordance  
85 with subsections (b) and (c) of section 4-28 of the general statutes. The  
86 department shall adopt regulations in accordance with the provisions  
87 of chapter 54 of the general statutes, (1) establishing priorities for  
88 determining which households shall receive such weatherization  
89 assistance, (2) requiring that such weatherization assistance for energy  
90 conservation measures other than the retrofitting of heating systems be  
91 provided only for any dwelling unit for which an energy audit has  
92 been conducted in accordance with the provisions of sections 16a-45a  
93 to 16a-46c, inclusive, of the general statutes, (3) requiring that the only  
94 criterion for determining which energy conservation measures shall be  
95 implemented pursuant to this subsection in any such dwelling unit  
96 shall be the simple payback calculated for each energy conservation  
97 measure recommended in the energy audit conducted for such unit, (4)  
98 establishing the maximum allowable payback period for such energy  
99 conservation measures, and (5) establishing conditions for the waiver  
100 of the provisions of subdivisions (1) to (4), inclusive, of this subsection  
101 in the event of emergencies. The programs provided for under this  
102 subsection shall include a program of fuel and weatherization  
103 assistance for emergency shelters for homeless individuals and victims  
104 of domestic violence. The department may adopt regulations, in  
105 accordance with the provisions of chapter 54 of the general statutes, to  
106 implement and administer the program of fuel and weatherization  
107 assistance for emergency shelters.

108 Sec. 3. (*Effective from passage*) The Department of Public Utility  
109 Control shall conduct a study of the progress of the state-appropriated  
110 weatherization assistance program in the state. Said study shall  
111 include, but not be limited to, an examination of the costs,  
112 implementation and effectiveness of such program, and the  
113 department's recommendations for outreach efforts and program  
114 expansion. Not later than February 1, 2012, the department shall report  
115 its findings and recommendations, in accordance with section 11-4a of  
116 the general statutes, to the joint standing committee of the General

117 Assembly having cognizance of matters relating to energy.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2011</i>	17b-801
Sec. 2	<i>July 1, 2011</i>	New section
Sec. 3	<i>from passage</i>	New section

***Statement of Legislative Commissioners:***

For accuracy, in the first sentence of section 3, "the" was inserted before "state-appropriated" and in the first and second sentences of section 3, "program" was substituted for "programs".

***ET***            *Joint Favorable Subst.-LCO*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

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**OFA Fiscal Note**

**State Impact:** None

**Municipal Impact:** None

**Explanation**

The bill transfers the state-appropriated weatherization and fuel assistance programs from the Department of Social Services (DSS) to the Department of Public Utility Control.

There is no impact associated with the transfer of the state-appropriated fuel assistance program since it is not currently active and has not received state funding since FY 02.

In addition, the state appropriated weatherization program is also inactive. DSS does administer a federally funded Weatherization Assistance Program<sup>1</sup>; it is assumed that this program would not be affected by the transfer provisions in this bill.

**The Out Years**

**State Impact:** None

**Municipal Impact:** None

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<sup>1</sup> According to the 2010 State Comptroller Annual Report, approximately \$13 million in Weatherization Assistance Program dollars were expended in FY 10.

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**OLR Bill Analysis****HB 5958*****AN ACT CONCERNING ENERGY UPGRADES, WEATHERIZATION AND FUEL ASSISTANCE FOR RESIDENTIAL HOMES AND MUNICIPAL AND STATE BUILDINGS.*****SUMMARY:**

This bill transfers administration of the state-appropriated weatherization and fuel assistance programs from the Department of Social Services (DSS) to the Department of Public Utility Control (DPUC).

It also requires DPUC to study the costs, implementation, and effectiveness of the state-appropriated weatherization assistance program and submit a report to the Energy Committee by February 1, 2012, recommending ways to expand the program.

The current DSS weatherization assistance program is entirely federally funded by the U.S. Department of Energy. The state-appropriated fuel assistance program has not been funded since FY 02.

EFFECTIVE DATE: July 1, 2011, except for the section requiring a DPUC study, which is effective upon passage

**COMMITTEE ACTION**

Energy and Technology Committee

Joint Favorable

Yea 22      Nay 0      (03/22/2011)